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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,761	05/26/2004	Ming-Chien Chiu		3760
43995	7590	05/09/2005		
GUDENG PRECISION INDUSTRIAL CO., LTD. 2F-4, NO. 148, SEC. 4, CHUNG HSIAO EAST ROAD TAIPEI, TAIWAN			EXAMINER MATHEWS, ALAN A	
			ART UNIT 2851	PAPER NUMBER

DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/709,761

Applicant(s)

CHIU, MING-CHIEN

Examiner

Alan A. Mathews

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-7 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 1, 3 and 4 is/are allowed.
6) ☒ Claim(s) 5 is/are rejected.
7) ☒ Claim(s) 6 and 7 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 26 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The substitute specification filed March 14, 2005, has not been entered because it does not conform to 37 CFR 1.125(b) and (c) because: Applicant has not made a statement that the substitute specification includes no new matter. If Applicant resubmits the substitute specification and the marked-up copy of the substitute specification and **includes a statement (in his REMARKS) that the substitute specification includes no new matter, the problem would be resolved.**

2. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: In paragraph # 5, "the protrusion 102 is subject to friction with the Chromium (Cr) deposition on the bottom surface of the protrusion 102" is unclear. In paragraph # 5, "Wherein the Chromium (Cr) deposition on the bottom surface is extremely precise circuit protecting shroud layer so jointwith a jacket membrane 201a to stop the dust particle off the focus of photomask 201" is unclear. In addition, there are numerous ideomatic errors in the specification. If Applicant resubmits the substitute specification filed March 16, 2005 (but not entered) along

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with the marked up copy of the substitute specification and **a statement that the substitute specification includes no new matter**, the problem would be resolved.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamauchi (U. S. Patent No. 5,353,934) in view of either Matsumura (U. S. Patent No. 5,823,736). Yamauchi discloses in figure 1 and column 3, lines 15 - 54, an apparatus 1 for holding a substrate of a photomask 5. A plurality of protrusions 6 (with caps 7) are formed on photomask holder 3. Column 3, line 26, discloses that the protrusion 6 is tapered (cambered). Thus, Yamauchi discloses the invention except for disclosing through holes in the holder, with the protrusions in the through holes. Matsumura discloses in figure 3 and column 3, lines 25-67, and column 4, lines 1-57, through holes 31, with pins 32 extending there through.. The pins 32 would be detachable. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to provide Yamauchi with through holes for the protrusions 6 for the purpose easier construction and more flexibility in using the apparatus.

Allowable Subject Matter

5. Claims 1, 3, and 4 are allowed. Claims 6 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The reasons for the indicated allowability of the claims are as follows:

The prior art does not disclose or suggest wherein each protrusion is comprised of a PEEK or VESPEL material; and wherein a photomask is disposed on the supporting ridges so that a surface contact area and friction between the supporting ridges and chromium deposition formed at a bottom surface of the photomask are substantially reduced so that generation of particulates due to friction between the protrusions and a chromium deposition formed at a bottom surface of the photomask is substantially reduced in combination with all the other elements recited in independent claim 1.

The prior art does not disclose or suggest wherein a pedestal formed far away from each supporting ridge is detachably integrated into the through holes of the photomask holder in combination with all the other elements recited in the parent claim of dependent claim

6.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

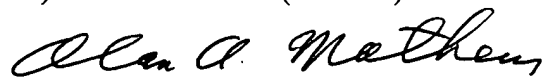
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan A. Mathews whose telephone number is (571) 272-2123. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alan A. Mathews
Primary Examiner
Art Unit 2851

AM